



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matter of Christopher Moriau,
Sewer Repairer 1 (PM2707B),
Jackson Utilities Authority

Examination Appeal

CSC Docket No. 2021-1778

ISSUED: JULY 2, 2021 SLK)

Christopher Moriau appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirements for the promotional examination for Sewer Repairer 1 (PM2707B), Jackson Utilities Authority.

The subject examination's closing date was September 21, 2020. The experience requirements were one year of experience in sewer installation or repair work and/or in varied plumbing work and/or in the operation and maintenance of sewer maintenance equipment or one year of experience as a laborer in a public works department. The appellant was the only applicant and the examination was cancelled due to a lack of qualified candidates.

On his application, the appellant indicated that he was provisionally serving in the subject title from June 2020 to the September 21, 2020 closing date. Agency Services credited him with four months of experience based on his provisional service in the subject title, but determined that he lacked eight months of the required experience.

On appeal, the appellant presents that he incorrectly filled out his application. Specifically, he indicates that he should have indicated that he started with the

appointing authority as a Laborer 1 in March 2019. He submits his County and Personnel Management System (CAMPS) record to support his statement and he describes how he performed the required duties while working for the appointing authority.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional announcement by the closing date. *N.J.A.C.* 4A:4-2.1(f) provides that an applicant may amend a previously submitted application only prior to the announced closing date. *N.J.A.C.* 4A:1-1.2(c) states that the Civil Service Commission (Commission) may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

Initially, Agency Services correctly determined that the appellant was not eligible as he only presented his provisional service in the subject title on his application. However, on appeal, the appellant indicates that he started as a Laborer 1 in March 2019 and describes how he had one year and seven months of the required experience by the closing date. Although *N.J.A.C.* 4A:4-2.1(f) proscribes the amendment of an application after the closing date set in the announcement, the circumstances present in this matter provide good cause to permit the appellant to amend his application. Specifically, the examination was cancelled due to a lack of qualified candidates. Further, the Commission notes that the dual purpose of the Civil Service system is to ensure efficient public service for State and local governments and to provide appointment and advancement opportunities to Civil Service employees based on their merit and abilities. These interests are best served when more, rather than fewer, individuals are presented with employment opportunities. See *Communications Workers of America v. New Jersey Department of Personnel*, 154 *N.J.* 121 (1998). In this regard, the Commission finds that the appellant has demonstrated that he has the required experience for the subject title by the closing date, which, based on the circumstances presented, warrants his admission to the subject examination. Accordingly, good cause is established to relax the provisions of *N.J.A.C.* 4A:4-2.1(f) and admit the appellant.

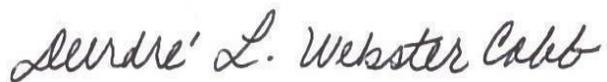
The Commission cautions the appellant that, in the future, he should ensure that any applications are fully and completely filled out as his failure to do so will be cause for rejection from the selection process. This determination is limited to the instant matter and does not provide precedent in any other matter.

ORDER

Therefore, it is ordered that the appeal be granted, and the appellant's application be processed for prospective employment opportunities only.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 30TH DAY OF JUNE, 2021



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